

.UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

## **GOVERNMENT'S MOTION FOR A SENTENCING HEARING**

COMES NOW the United States of America, by and through Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, Jennifer A. Winfield, Assistant United States Attorney for said District, and hereby requests that a sentencing hearing be set in this matter. (Docs. 222 & 226). In support thereof, the Government states the following:

1. On April 7, 2016, a complaint was filed in federal court against defendant Loren Copp (“Copp”), charging one Count of Production of Child Pornography. On April 14, 2016, a federal grand jury indicted the defendant on Counts One and Two: Production of Child Pornography in violation of Title 18 U.S.C. Section 2252(a); Count Three: Attempted Production of Child Pornography in violation of Title 18 U.S.C. Section 2252(a) and Count Four: Possession of Child Pornography in violation of Title 18 U.S.C. Section 2252(a)(5)(B).
  2. Following, between May 9, 2016, and March 7, 2017, Copp filed eleven (11) motions to continue the evidentiary hearing in this matter.
  3. On March 29, 2017, a federal grand jury filed a superseding indictment on defendant Copp on Counts One and Two: Production of Child Pornography in violation of Title 18 U.S.C. Section 2252(a); Count Three: Attempted Production of Child Pornography in violation of Title 18 U.S.C. Section 2252(a); Count Four: Possession of Child Pornography in violation of Title 18 U.S.C. Section 2252(a)(5)(B); Counts Five and Six: Use of Interstate Facilities to Persuade, Induce, Entice, or Coerce a Minor to Engage in Sexual Activity in violation of Title 18 U.S.C. Section 2422 and Counts Seven, Eight and Nine: Use of Interstate Facilities to Transmit Information with the Intent to Entice, Solicit or Encourage a Minor to Engage in Sexual Activity in violation of Title 18 U.S.C. Section 2425.

4. On June 15, 2017, the evidentiary hearing was held in this matter. On September 19, 2017, the Memorandum, Report and Recommendations was filed and the case was set for trial on November 6, 2017.
5. On September 26, 2017, the defendant filed a motion to continue the trial, and the matter was then set for trial on February 5, 2018.
6. Once again, on January 10, 2018, the defendant filed another motion to continue the trial, and it was set for April 16, 2018.
7. On April 2, 2018, defendant Copp waived a jury trial, and voluntarily and knowingly chose to represent himself at trial. Retained attorney Nathan Swanson was designated as stand-by counsel.
8. This Court conducted a bench trial from April 11, 2018 to April 24, 2018.
9. The verdicts in this matter were returned on December 26, 2018. On that same date, the Court ordered that Copp's Objections to the PSR were due by March 15, 2019.
10. On January 4, 2019, Copp outlined 19 grounds in his motions for a new trial and judgement of acquittal. On January 24, 2019, the government filed its response.
11. On January 31, 2019, Copp filed a motion for extension of time to file a reply to the government's response and a request for trial transcripts.
12. On March 13, 2019, Copp filed a motion to extend his time to file PSR objections and to continue the sentencing hearing in this matter.
13. On March 18, 2019, the defendant's motion to extend his time to file PSR objections and to continue the sentencing hearing in this matter was granted and he was given fourteen (14) days following receipt of the trial transcripts to file a reply to the government's response in opposition to his motion for a new trial.
14. The trial transcripts for the bench trial in this matter were filed on July 12, 2019.
15. On August 16, 2019, the defendant filed his reply to the government's response in opposition to his motion for a new trial, which only outlined his continued refusal to accept responsibility for his criminal activity and victimization of minors in this case.
16. The case appears ripe for sentencing.

17. Under the Crime Victim's Rights Act ("CVRA"), the government is the "lawful representative" of crime victims and may assert rights on their behalf. 18 U.S.C. §3771(d)(1) & (d)(3); *see United States v. Rubin*, 558 F. Supp. 2d 411, 417 (E.D.N.Y. 2008) ("Although the statute primarily tasks the courts with the responsibility of securing these rights, prosecutors ... are commanded to 'make their best efforts to see that crime victims are notified of, and accorded' their rights under the CVRA").
18. The CVRA provides each of the victims with "the right to be reasonably protected from the accused." 18 U.S.C. §3771(a)(1) and "the right to proceedings free from unreasonable delay." 18 U.S.C. §3771(a)(7).
19. Some of the victims in this case submitted a request for restitution for the cost of counseling services necessitated by the defendant's conduct. The CVRA provides each of the victims with "the right to full and timely restitution as provided by law" 18 U.S.C. §3771(a)(6). Until a sentence is imposed, the victims will not have full resolution of their claims for restitution or the surety of defendant's period of incarceration.
20. This case has been pending for three-and-a half years (Doc.1 – Complaint filed on April 7, 2016). On behalf of and in the best interests of the victims, the Government respectfully requests the scheduling of a sentencing date.

WHEREFORE, in light of the foregoing, the government respectfully requests that the sentencing hearing in this matter be set at the Court's earliest convenience.

Respectfully submitted,  
JEFFREY B. JENSEN  
United States Attorney

*s/Jennifer A. Winfield*  
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**CERTIFICATE OF SERVICE**

I hereby certify that on November 8, 2019, the attached was filed electronically with the Clerk of the Court and served by way of this Court's Electronic Notification System upon all counsel of record, and mailed to Loren Copp at the St. Charles County Adult Detention Center, 301 N. Second Street, St. Charles, MO 63301.

*s/Jennifer A. Winfield*  
JENNIFER A. WINFIELD, #53350(MO)  
Assistant United States Attorney